Exhibit 346 [replacing Dkt. #2357-11] attached to Plaintiffs' Consolidated Memorandum in Opposition to Defendants' Motions for Summary Judgment on Plaintiffs' Civil Conspiracy, RICO and OCPA Claims at Dkt. #2182.

- Redactions withdrawn by Defendant

PSJ3

Exhibit 346

From: Kelly, Patrick [pkelly@hdmanet.org]
Sent: 2/20/2014 9:15:34 PM
To: 'ECampbell@amerisourcebergen.com' [ECampbell@amerisourcebergen.com]; 'Gary.Cacciatore@cardinalhealth.com' [Gary.Cacciatore@cardinalhealth.com]; 'kcouch@smithdrug.com' [kcouch@smithdrug.com]; 'gilberto.quintero@cardinalhealth.com' [gilberto.quintero@cardinalhealth.com]; 'treadling@mutualdrug.com' [treadling@mutualdrug.com]; 'ttwitty@hdsmith.com' [ttwitty@hdsmith.com]; Walker, Donald [donald.walker@mckesson.com]; 'czimmerman@amerisourcebergen.com' [czimmerman@amerisourcebergen.com]
CC: Gray, John [jgray@hdmanet.org]; Kelly, Patrick [pkelly@hdmanet.org]; Freitas, Kristen [kfreitas@hdmanet.org]; Ducca, Anita [aducca@hdmanet.org]; Berkey, Ann [ann.berkey@mckesson.com]; rnorton@amerisourcebergen.com; Woodburn, Connie (Connie.Woodburn@cardinalhealth.com) [Connie.Woodburn@cardinalhealth.com]; David Durkin (ddurkin@ofwlaw.com) (ddurkin@ofwlaw.com) [ddurkin@ofwlaw.com]
Subject: Please Review: GAO Request for information regarding DEA interaction with distributors

To: HMDA Drug Diversion/DEA Strategy Task Force

Subject: Inquiry from Government Accountability Office (GAO) regarding distributor interaction with DEA

We received the following request (see below) for information today from the GAO regarding a study they have been asked to prepare about efforts to reduce prescription drug abuse and diversion. This study was requested by a bipartisan group of Senators in March, 2013. Attached please find a copy of the request that was sent to GAO.

In August 2013, HDMA staff participated in a conference call with the GAO team tasked with pulling this report together. During this meeting HDMA staff gave a general overview of the industry's efforts to prevent diversion. At the time we furnished them with testimony we provided to the Energy and Commerce Committee as well as the list of questions we had submitted DEA seeking further clarity on suspicious order monitoring and due diligence protocols.

Specific follow-up questions from GAO:
"We are preparing the survey questionnaire now, and planning our sampling methodology, and have a couple of questions we'd like your input on.
a. If an individual DEA-registered distributor location received our survey, how likely would they be willing and able to complete it? We have heard, for example, that chain drug stores would likely not want their individual stores to respond to our survey. Instead, they would prefer (insist on) sending one corporate response.
b. Do the individually registered locations have direct interaction with DEA and/or other federal agencies, or is that more likely to happen at the corporate level?"

ACTION REQUESTED: Please review these questions and the email below and advise how you would like HDMA to respond. Please respond by Monday February 24.

As these are not very complex questions, we could submit the following responses to the above-referenced questions. We may need a bit more granularity on the second question with regard to interactions by other federal agencies.

a. For our members with multiple distribution facilities, we would prefer that any survey questionnaires be sent to the corporate offices for those respective companies.
b. Each facility that is licensed to distributed controlled substances interacts with and is inspected by the corresponding DEA field office tasked with overseeing the region in which the facility is located. **(Is the same true for other federal agencies FDA/EPA?)**

Please let us know how you would like us to proceed. If you have any questions or need additional information, please contact me by email or by phone at (703) 885-0233.

Sincerely,

Patrick Kelly

From: Gilley, Sally P [mailto:Gilleys@gao.gov]
Sent: Thursday, February 20, 2014 1:30 PM
To: Kelly, Patrick
Cc: Ritchie, Christina E; Lusk, Lisa A
Subject: Coordination Efforts to Reduce Prescription Drug Abuse and Diversion

Hi Mr. Kelly,

On August 8, 2013, we met with you and other Healthcare Distribution Management Association (HDMA) officials to discuss our study and obtain information on coordination efforts to reduce prescription drug abuse and diversion. I'd like to provide you with an update of where we are in our work, what's next, and some areas in which we'd like to seek HDMA's input.

We have completed the Design phase of our job, and are working towards issuing a report in November of this year. As part of our study, we are planning to survey a sample of registrants that are registered with the Drug Enforcement Administration (DEA) to handle controlled substances, including distributors, manufacturers, pharmacies, and practitioners, to obtain information about their interactions with DEA and other federal agencies related to efforts to reduce prescription drug abuse and diversion.

We are preparing the survey questionnaire now, and planning our sampling methodology, and have a couple of questions we'd like your input on.

a. If an individual DEA-registered distributor location received our survey, how likely would they be willing and able to complete it? We have heard, for example, that chain drug stores would likely not want their individual stores to respond to our survey. Instead, they would prefer (insist on) sending one corporate response.

b. Do the individually registered locations have direct interaction with DEA and/or other federal agencies, or is that more likely to happen at the corporate level?

Additionally, over the next couple of weeks, as we continue to work on our questionnaire, we would also love to have HDMA's input on it, if you'd be willing to provide us with a little more of your time.

We appreciate any help you may be able to provide us on these matters. If you have any questions, please feel free to contact me . Thanks.

Best regards,

Sally
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Sally P. Gilley
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